

UTAH COUNTIES INDEMNITY POOL

BOARD OF TRUSTEES MEETING

Thursday, September 19, 2013, 4:00 p.m.

Hunter Conference Center, 351 W University Blvd, Cedar City

AGENDA

4:00 Call to Order and Welcome Attendees Bruce Adams

ITEM INFORMATION / ACTION

1	Review/Excuse Board Members Absent	Bruce Adams
2	Nominating Committee Report	Alma Adams
3	Appoint Fourth Class County Representative	Alma Adams
4	Appoint Law Enforcement Committee Chair	Alma Adams
5	Elect Secretary/Treasurer of the Board	Bruce Adams
6	Review/Approve August 15, 2013 Meeting Minutes	Karla Johnson
7	Ratification and Approval of Payments and Credit Card Transactions	Karla Johnson
8	Review/Approve Early Date of Withdrawal for Terminating Member	Bruce Adams
9	Review/Approve Amendments to the Coverage Addendum	Johnnie Miller
10	Review/Approve Amendments to the Interlocal Cooperation Agreement	Johnnie Miller
11	Review/Approve Amendments to the Bylaws	Johnnie Miller
12	Review/Approve Legislative Issues	Johnnie Miller
13	Set Date and Time for Closed Meeting to Discuss Character, Professional Competence, Physical/Mental Health of an Individual	Bruce Adams
14	Action on Personnel Matters	Bruce Adams
15	Set Date and Time for Closed Meeting to Discuss Pending or Reasonably Imminent Litigation	Bruce Adams
16	Action on Litigation Matters	Dave Blackwell

17 INFORMATION

18	Chief Executive Officer's Report	Johnnie Miller
19	Other Business	Bruce Adams

Electronic Meeting Notice: 888-447-7153, Participant Passcode: 2261240



BOARD OF TRUSTEES' MEETING MINUTES

September 19, 2013, 4:00 p.m.

Hunter Conference Center
351 W. University Blvd, Cedar City, Utah

BOARD MEMBERS PRESENT

Bruce Adams, *President*, San Juan County Commissioner
Alma Adams, Iron County Commissioner
David Blackwell, Emery County Attorney
Bill Cox, Rich County Commissioner
Brad Dee, Weber County Human Resources Director
Kerry Gibson, Weber County Commissioner
Karla Johnson, Kane County Clerk/Auditor

BOARD MEMBERS ABSENT

Jim Eardley, *Vice President*, Washington County Commissioner
Jerry Hurst, Tooele County Commissioner
Bret Millburn, Davis County Commissioner
Mike Wilkins, Uintah County Clerk/Auditor

MEMBERS PRESENT

Alden Orme, Juab County Sheriff
Seth Oveson, Carbon County Clerk/Auditor

OTHERS PRESENT

Johnnie Miller, UCIP Chief Executive Officer
Sonya White, UCIP Chief Financial Officer
Brett Rich, Nielsen & Senior Law Firm

Call to Order

Bruce Adams called this meeting, of the Utah Counties Indemnity Pool's Board of Trustees, to order at 12:30 p.m. on August 15, 2013 and welcomed those in attendance.

Review/Excuse Board Members Absent

Alma Adams made a motion to excuse Jim Eardley, Jerry Hurst, Bret Millburn and Mike Wilkins from this meeting. Brad Dee seconded the motion, which passed unanimously.

Nominating Committee Report

Alma Adams provided the Board with a copy of Steve Wall's resignation letter (see attachment number one). Alma reported that the Nominating Committee announced the available Board seat to the Fourth Class Counties. Seth Oveson, Carbon County Clerk/Auditor, provided a written notice of his willingness to serve on the Board of Trustees. The Committee recommended that the Board appoint Seth Oveson to fill the unexpired term of the Fourth Class Counties Representative.

Alma Adams reported that the Nominating Committee announced the available Law Enforcement Committee Chair seat to the member Sheriffs. Alden Orme, Juab County Sheriff, and Robert Dekker, Millard County Sheriff, provided a written notice of their willingness to serve on the Board of Trustees. The Committee recommended that the Board appoint Alden Orme as the Law Enforcement Committee Chair.

UTAH COUNTIES INDEMNITY POOL

PO Box 95730, South Jordan, UT 84095-0730
Phone (801)565-8500 ☎ Fax (801)568-0495 ☎ ucip.utah.gov

Appoint Fourth Class County Representative

Brad Dee made a motion to appoint Seth Oveson, Carbon County Clerk/Auditor to fill the unexpired term of the Fourth Class County Representative. Bill Cox seconded the motion, which passed unanimously. The members of the Fourth Class Counties will elect their representative at the Annual Membership meeting in December. The Board asked Seth to join the meeting.

Appoint Law Enforcement Committee Chair

Karla Johnson made a motion to appoint Alden Orme to the Board as the Law Enforcement Committee Chair. Bill Cox seconded the motion, which passed unanimously. The Board asked Alden to join the meeting.

Elect Secretary/Treasurer of the Board

Kerry Gibson made a motion to nominate Karla Johnson as the Secretary/Treasurer of the UCIP Board of Trustees. Bill Cox made a motion to elect Karla Johnson, by acclamation, as the Secretary/Treasurer of the Board of Trustees. David Blackwell seconded the motion, which passed unanimously.

Review/ Approve August 15, 2013 Meeting Minutes

The minutes, of the Board of Trustees meeting held August 15, 2013, were previously sent to the Board Members for review (see attachment number two). Karla Johnson made a motion to approve the August 15, 2013 meeting minutes as written. Alma Adams seconded the motion, which passed; Seth Oveson abstained.

Ratification and Approval of Payments and Credit Card Transactions

The payments made, the payments to be made and the credit card transactions were reviewed by the Board (see attachment number three). Karla Johnson made a motion to approve the payments made, the payments to be made and the credit card transactions. David Blackwell seconded the motion, which passed unanimously.

Review/Approve Early Date of Withdrawal for Terminating Member

Johnnie Miller provided the Board with a copy of Tooele County's resolution to terminate membership in the Utah Counties Indemnity Pool (see attachment number four). From discussions with the Commissioners and Attorney, it is Johnnie's understanding that the only reason Tooele is terminating their membership is due to the dire budget issues the County is facing. Therefore, Johnnie presented the Board with a draft letter (see attachment number five) to offer an early date of withdrawal, October 1, 2013, to allow the County to recognize savings (from reduced coverage) in the 2013 budget year. Unearned contributions to the County would be returned. Kerry Gibson made a motion to approve the offer of an early withdrawal of Tooele County. Karla seconded the motion, which passed unanimously. Johnnie explained that the County does have the option of rescinding their written notice to terminate until October 1. If the County accepts the early withdrawal, the Board directed Johnnie and Brett Rich to remind the County, in writing, of UCIP's claim made coverage. The Tooele County Health Department and the Tooele County Recreation Special Service District are separate legal entities and separate members of the Pool. These members did not provide written notice of termination 120 days prior to the intended date of termination, i.e., January 1, 2014.

Review/Approve Amendments to the Coverage Addendum

The proposed changes to the Coverage Addendum were previously sent to the Board Members for review (see attachment number six). Johnnie Miller explained the changes/updates to the coverage language that included: 1) extended reporting period; 2) no contest exclusion; 3) land use actions; 4) employee defense; 5) property values; 6) liability definitions; and endorsements to be added. Kerry Gibson made a motion to approve the changes to the Coverage Addendum, effective October 1, 2013, as presented. Seth Oveson seconded the motion, which passed unanimously.

Review/Approve Amendments to the Interlocal Cooperation Agreement

The proposed changes to the Interlocal Cooperation Agreement were previously sent to the Board Members for review (see attachment number seven). Johnnie Miller explained the changes/updates to the agreement that included: 1) clarifying the Pool as operating as a liability reserve fund; 2) duration of the

agreement; 3) structure of the Board; 4) manner of financing; 5) filing of the agreement; and 6) withdrawal and termination. David Blackwell made a motion to approve the recommended amendments to the Interlocal Cooperation Agreement as presented with the exception of number nine relating to the structure of the Board. Bill Cox seconded the motion, which passed unanimously. The Board directed Johnnie Miller to research further the language 'allowing Trustees serving in position appointed by the Board to be elected or appointed officials or employees of a member' and report to the Board at its next meeting.

Review/Approve Amendments to the Bylaws

The proposed changes to the Bylaws were previously sent to the Board Members for review (see attachment number eight). Johnnie Miller explained the changes/updates to the bylaws that included: 1) definition of surplus; 2) 'premiums' replaced with 'contributions'; 3) requirements to maintain certain policies; 4) Board duties; 5) financing; 6) withdrawal and termination; and 7) investment policy. Kerry Gibson made a motion to approve the recommended amendments to the Bylaws effective immediately. Bill Cox seconded the motion, which passed unanimously.

Review/Approve Legislative Issues

Johnnie Miller reported that he is working on the following legislative issues: 1) liability of multi-jurisdictional law enforcement agencies; 2) counties not liable for special service district (separate legal entity); 3) work release program immunity; 4) changes to supersedeas bonds; 5) modifications to the statute of limitations; and 6) updates to the treasurer's bond requirements. Brad Dee will assist Johnnie with sponsors for these legislative issues.

Set Date and Time for Closed Meeting

Bill Cox made a motion to strike agenda item: *Set Date and Time for Closed Meeting to Discuss Character, Professional Competence, Physical/Mental Health of an Individual*. Alma Adams seconded the motion, which passed unanimously.

Action on Personnel Matters

Bill Cox made a motion to strike agenda item: *Action on Personnel Matters*. Alma Adams seconded the motion, which passed unanimously.

Set Date and Time for Closed Meeting

Bill Cox made a motion to strike agenda item: *Set Date and Time for Closed Meeting to Discuss Pending or Reasonably Imminent Litigation*. Alma Adams seconded the motion, which passed unanimously.

Action on Litigation Matters

Bill Cox made a motion to strike agenda item: *Action on Litigation Matters*. Alma Adams seconded the motion, which passed unanimously.

Chief Executive Officer's Report

In the interest of time, Johnnie Miller will report at the next Board of Trustees meeting.

Other Business

The next meeting of the Board of Trustees will be held Thursday, October 17, 2013, 12:300 p.m. at the UCIP Offices, 10980 S. Jordan Gateway, South Jordan, Utah.

Approved on this 13th day of November 2013



Karla Johnson, Secretary/Treasurer



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Notice Title:

Board of Trustees Meeting

Government Type:

Special Districts

Entity:

Utah Counties Indemnity Pool

Public Body Name:

Board of Trustees

Notice Subject:

Administrative Services

Notice Type:

Notice, Meeting

Street Address:

351 West University Boulevard

Street Address continued:

City:

Cedar City

Zip:

84720

Start Date:

09/19/13 4:00 PM

End Date:

09/19/13 6:00 PM

Description / Agenda:

Call to Order and Welcome Attendees
Review/Excuse Board Members Absent
Nominating Committee Report
Appoint Fourth Class County Representative
Appoint Law Enforcement Committee Chair

Elect Secretary/Treasurer of the Board
Review/Approve August 15, 2013 Meeting Minutes
Ratification and Approval of Payments and Credit Card Transactions
Review/Approve Early Date of Withdrawal for Terminating Member
Review/Approve Amendments to the Coverage Addendum
Review/Approve Amendments to the Interlocal Cooperation Agreement
Review/Approve Amendments to the Bylaws
Review/Approve Legislative Issues
Set Date and Time for Closed Meeting
to Discuss Character, Professional Competence, Physical/Mental Health of an Individual
Action on Personnel Matters
Set Date and Time for Closed Meeting
to Discuss Pending or Reasonably Imminent Litigation
Action on Litigation Matters
Chief Executive Officer's Report
Other Business

ADA:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Sonya White at the Utah Counties Indemnity Pool, PO Box 95730, South Jordan, UT 84095, or call 800-339-4070, at least three days prior to the meeting.

Electronic Participation:

Any Member of the Utah Counties Indemnity Pool Board of Trustees may participate telephonically.

Other:**Emergency Notice:**

No

Send copy of notice to:

naclegal@mediaoneutah.com

Audio File Location:**Attachments:**

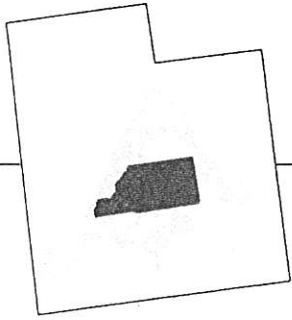
There are attachments associated with this notice.

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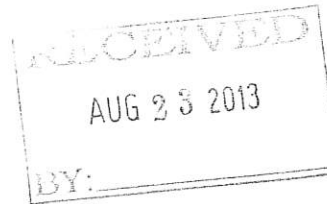


Sevier County

COMMISSIONERS:
Gary B. Mason
Gordon W. Topham
Garth 'Tooter' Ogden

Administration Building
250 North Main
Richfield, Utah 84701
(435) 893-0400
FAX (435) 896-8888

Steven C. Wall - Clerk/Auditor
Amy Garren-Clark - Assessor
Cheryl Buchanan - Treasurer
Jayrene B. Nielsen - Recorder



August 19, 2013

Mr. Johnnie Miller, CEO
Utah Counties Indemnity Pool
PO Box 95730
South Jordan, UT 84095-0730

Dear Johnnie,

With mixed emotions, I am submitting my resignation from the Utah Counties Indemnity Pool Board, effective immediately. I have the utmost confidence in you, the staff and Board to maintain and continue improving the quality programs and service UCIP offers to the members.

I appreciate the associations and opportunities I have had serving on the Board.

Sincerely,

Steven C Wall
Sevier County Clerk/Auditor

Cc: Bruce Adams, Board Chair

Sonya White

From: Sonya White
Sent: Monday, September 09, 2013 3:21 PM
To: Eardley, Jim; Adams, Alma; Johnson, Karla; Millburn, Bret; Wilkins, Mike
Subject: Nominating Committee Direction Needed

Importance: High

Dear Committee Members,

The following elected officials have provided written notice for consideration of available Board Positions:

From: Seth Oveson [<mailto:Seth.Oveson@carbon.utah.gov>]
Sent: Tuesday, September 03, 2013 9:08 AM
To: Sonya White
Cc: Commission
Subject: RE: Board Appointment for **Fourth Class County Representative**

Dear UCIP Board,

I appreciate your consideration to fill the Fourth Class County Representative position. I believe my background in public accounting will provide valuable insight for the board. Our county is very interested in participating more actively in UCIP in the upcoming years.

Seth Oveson, CPA
Carbon County Clerk/Auditor
(435) 636-3224
seth.oveson@carbon.utah.gov

From: Robert Dekker [<mailto:rdekker@co.millard.ut.us>]
Sent: Monday, September 09, 2013 11:09 AM
To: 'Sonya White'
Cc: Dave Edmunds
Subject: RE: Board Appointment for **Law Enforcement Committee Chair**

If I can help I would do whatever I can. If there are others interested, they should have a shot at it.

Robert Dekker
Millard County Sheriff

From: Alden Orme [<mailto:aorme@juab.utah.gov>]
Sent: Monday, September 09, 2013 2:25 PM
To: Sonya White
Subject: Re: Board Appointment for **Law Enforcement Committee Chair**

Dear UCIP Board of Trustees:

I would like to be considered for the Board vacancy left by Sheriff Noel. I have served as the Sheriff of Juab County since 2003 and I have enjoyed working with UCIP. I am impressed with the level of service given to each member county. If you need any additional information, please feel free to contact me. Thank you for your consideration and for your service as committee members.

Sincerely,
Sheriff Alden B. Orme
Cell: 435-250-6113

Please advise if you would like the Board to meet with each of these officials at their upcoming September 19 meeting or if you would like to make a recommendation to the Board for approval.

Thank you,

Sonya White
Chief Financial Officer
Utah Counties Indemnity Pool
PO Box 95730
South Jordan, UT 84095-0730
801-307-2113 *d*
801-568-0495 *f*
801-558-8060 *c*
ucip.utah.gov

PAST/PRESENT UCIP TRUSTEES

Last	First	County	Office	Year	Members
Blackham	Leonard	Sanpete County	Commissioner	1992	Beaver
Burningham	Guy	Utah County	Deputy Attorney	1992	Box Elder
Hatch	Tom	Garfield County	Commissioner	1992	Cache
Hirschi	Scott	Washington County	Commissioner	1992	Carbon
Sundberg	Kent	Utah County	Deputy Attorney	1992-2012	Daggett
Brown	Ken	Rich County	Commissioner	1992-1996	Davis
Ewing	Dennis	Tooele County	Clerk	1992-1995	Duchesne
Groll	Sid	Cache County	Sheriff	1992-1997	Emery
Hess	Gerald	Davis County	Deputy Attorney	1992-2010	Garfield
Skanchy	Sarah	Cache County	Council Member	1992-1999	Grand
Thompson	Dixie	Emery County	Commissioner	1992-1994	Iron
					Juab
Adams	Max	Uintah County	Commissioner	1993-1994	Kane
Herbert	Gary	Utah County	Commissioner	1993-2001	Millard
Lewis	Ty	San Juan County	Commissioner	1993-2001	Morgan
Sullivan	Gary	Beaver County	Commissioner	1993-1997	Piute
					Rich
Gardner	Robert	Iron County	Commissioner	1994-1996	Salt Lake
					San Juan
Dastrup	Curtis	Duchesne County	Commissioner	1996-1997	Sanpete
					Sevier
Dearden	Tony	Millard County	Commissioner	1997-1999	Summit
Munns	Monte	Box Elder County	Assessor/Treasurer	1997-1998	Tooele
					Uintah
Johnson	Chad	Beaver County	Commissioner	1998-1999	Utah
McConkie	Dan	Davis County	Commissioner	1998-2006	Wasatch
Olsen	Tex	Sevier County	Commissioner	1998-2002	Washington
Phillips	Ed	Millard County	Sheriff	1998-2006	Wayne
Swasey	John	Duchesne County	Commissioner	1998-1999	Weber
Norman	Royal	Box Elder County	Commissioner	1999-2002	
Petersen	Kent	Emery County	Commissioner	1999-2001	
Bischoff	Ken	Weber County	Commissioner	2000-2010	
Blackwell	Kay	Piute County	Commissioner	2001-2012	
Cox	LaVar	Millard County	Commissioner	2001-2005	
Lemon	Lynn	Cache County	Executive	2001-2007	
Baker	Steve	Davis County	Personnel Director	2002-2007	
Roundy	Gene	Iron County	Commissioner	2002-2006	
Wall	Steve	Sevier County	Clerk/Auditor	2002-2013	
Eardley	Jim	Washington County	Commissioner	2004-	
Grover	Jerry	Utah County	Commissioner	2004-2006	
Hatch	Ira	Emery County	Commissioner	2004-2006	
Johnson	Karla	Kane County	Clerk/Auditor	2006-	

Adams	Bruce	San Juan County	Commissioner	2007-
Nyland	Jim	Grand County	Sheriff	2007-2008
White	Steve	Utah County	Commissioner	2007-2010
Dee	Brad	Weber County	Human Resources Director	2008-
Smith	Wayne	Iron County	Commissioner	2008-2010
Guymon	LaMar	Emery County	Sheriff	2009-2010
Hurst	Jerry	Tooele County	Commissioner	2009-2013
Anderson	Gary	Utah County	Commissioner	2011-2012
Dearden	Craig	Weber County	Commissioner	2011-2012
Gillette	Marilyn	Tooele County	Clerk	2011-2012
Millburn	Bret	Davis County	Commissioner	2011-
Noel	Cameron	Beaver County	Sheriff	2011-2013
Wilkins	Mike	Uintah County	Clerk/Auditor	2012-
Adams	Alma	Iron County	Commissioner	2013-
Blackwell	Dave	Emery County	Attorney	2013-
Cox	Bill	Rich County	Commissioner	2013-
Gibson	Kerry	Weber County	Commissioner	2013-
Orme	Alden	Juab County	Sheriff	2013-
Oveson	Seth	Carbon County	Clerk/Auditor	2013-

Utah Counties Indemnity Pool

Payments

August 16 - September 19, 2013

Type	Date	Num	Name	Memo	Amount
ML Expense					
Liability Check	08/29/2013		QuickBooks Payroll Service	Created by Payroll Service on 08/27/2013	-13,127.11
Liability Check	09/12/2013		QuickBooks Payroll Service	Created by Payroll Service on 09/11/2013	-13,130.87
Liability Check	08/28/2013	ONLINE	United States Treasury	EFT ACKNOWLEDGEMENT NUMBER: 270364065018126	-5,134.62
Liability Check	08/28/2013	ONLINE	Utah Retirement Systems	Confirmation Number: 08281541092	-7,290.48
Liability Check	08/28/2013	ONLINE	Utah State Tax Commission	Confirmation Number: 1-620-453-888	-1,759.42
Liability Check	08/28/2013	ONLINE	Nationwide Retirement Solutions	Entity: 0036786001	-1,536.71
Liability Check	09/13/2013	ONLINE	United States Treasury	EFT ACKNOWLEDGEMENT NUMBER: 2703659015746...	-4,833.92
Check	08/26/2013	VISA	Wells Fargo	Account Number: 4856 2002 0893 3427	-172.95
Check	08/26/2013	VISA	Wells Fargo	Account Number: 4856 2002 0207 3691	-551.80
Check	08/23/2013	6850	Iron County	Mileage Reimbursement - Adams	-248.60
Check	08/23/2013	6851	Mike Wilkins	Mileage Reimbursement	-205.66
Check	08/23/2013	6852	Karla Johnson	Mileage Reimbursement	-342.39
Check	08/23/2013	6853	Dave Blackwell	Mileage Reimbursement	-176.28
Check	08/23/2013	6854	Bret Millburn	Mileage Reimbursement	-36.16
Check	08/23/2013	6855	Steven Wall	Mileage Reimbursement	-166.11
Check	08/23/2013	6856	Bruce Adams	Mileage Reimbursement	-339.00
Check	08/23/2013	6857	Jim Eardley	Mileage Reimbursement	-316.40
Check	08/23/2013	6858	Kathleen M. Liuzzi	Expense Reimbursement	-485.52
Bill Pmt -Check	08/23/2013	6859	Pitney Bowes Global Financial Service...	Lease Account Number: 1528795	-10.79
Bill Pmt -Check	08/23/2013	6860	Shirts Signs & Designs	UCIP Banner for Box Elder County	-95.00
Bill Pmt -Check	08/26/2013	6861	HCA Asset Management, LLC	Invoice Number: 13-0058	-7,872.00
Bill Pmt -Check	08/27/2013	6862	Makayla Checketts	Invoice Number: 72028	-42.00
Bill Pmt -Check	08/27/2013	6863	Paetec	Invoice Number: 5843664	-704.39
Check	08/28/2013	6864	PEHP-LTD	Coverage Period: AUG 2013	-220.42
Bill Pmt -Check	09/02/2013	6865	Western AgCredit	Invoice Number: 9-2013	-10,471.00
Check	09/05/2013	6866	Johnnie R. Miller	Expense Reimbursement	-701.89
Check	09/05/2013	6867	Box Elder County	2012 WC Payroll Audit Return Premium	-6,973.60
Liability Check	09/05/2013	6868	Public Employees Health Program	Policy Number 1076 (AUG)	-5,531.23
Bill Pmt -Check	09/05/2013	6869	Les Olson Company	Invoice Number: EA474098	-47.38
Bill Pmt -Check	09/05/2013	6870	Premiere Global Services	Invoice Number: 14470657	-52.09
Check	09/12/2013	6871	Kathleen M. Liuzzi	Expense Reimbursement	-30.00
Check	09/12/2013	6872	Wliff Sommerkorn	Mileage Reimbursement	-285.89
Bill Pmt -Check	09/12/2013	6873	CodeCo Law Publishers	Invoice Number: B28523	-249.00
Bill Pmt -Check	09/12/2013	6874	Office Depot	Invoice Number: 672438179001	-163.25
Bill Pmt -Check	09/12/2013	6875	Revco Leasing Company, LLC	Invoice Number: 337226	-435.91
Bill Pmt -Check	09/12/2013	6876	TCNS, Inc.	Invoice Number: 4569	-640.00
Bill Pmt -Check	09/12/2013	6877	Office Depot	Invoice Number: 672439042001	-3.95
Bill Pmt -Check	09/12/2013	6878	TCNS, Inc.	Invoice Number: 4632	-1,650.00
Check	09/16/2013	6879	Kathleen M. Liuzzi	Expense Reimbursement	-107.35
Liability Check	09/17/2013	6880	Opticare of Utah	Invoice Number: 40155	-55.35
Check	09/17/2013	6881	Johnnie R. Miller	Expense Reimbursement	-322.29
Check	09/17/2013	6882	Bret Millburn	Airfare Reimbursement	-395.80
Total ML Expense					-86,914.58
TOTAL					-86,914.58

RESOLUTION 2013-16

A RESOLUTION TERMINATING MEMBERSHIP IN UCIP (UTAH
COUNTIES INDEMNITY POOL)


WHEREAS, the County is required to provide UCIP with written notice, in the form of
a resolution, of its intent to terminate membership in UCIP.

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE COUNTY
COMMISSION that Tooele County intends to terminate its membership in the Utah Counties
Indemnity Pool ("UCIP") on December 31, 2013.

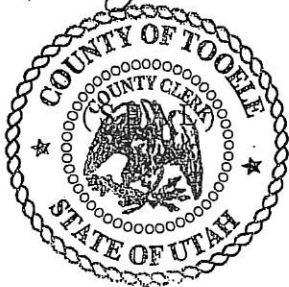
DATED this 18th day of August 2013.

ATTEST:

TOOELE COUNTY COMMISSION:


MARILYN K. GILLETTE, Clerk


J. BRUCE CLEGG, Chairman



Commissioner Clegg voted
Commissioner Hurst voted
Commissioner Milne voted

Aye
Aye
Aye

APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney



September 19, 2013

Commissioner Bruce Clegg
Commissioner Jerry Hurst
Commissioner Shawn Milne
Tooele County
47 South Main
Tooele, UT 84074

Dear Commissioners,

It is our understanding, from you and your consultant, that your choice to terminate membership in the Utah Counties Indemnity Pool (UCIP) was made out of the need to cut county expenditures. Given the significant reduction in coverage that the county is willing to accept to accomplish that savings, we must assume that the budget issues the Commission is facing are dire. UCIP has provided Tooele County with many concessions over the last 18 months in an effort to assist with your budget concerns and we want to continue to help the county in their time of need. Therefore, the UCIP Board of Trustees has approved an early withdrawal date of October 1, 2013 for Tooele County. The early withdrawal will allow the county to recognize savings (from reduced coverage) yet in the 2013 budget year, rather than waiting until the 2014 budget.

We hope the county would reconsider the decision, to reduce their protection during this time of uncertain financial strength, by rescinding the Notice of Termination of Membership you provided to UCIP on August 18, 2013. If the county chooses not to rescind its termination notice, we will assume you wish to terminate membership at the earliest possible date and will return unearned contributions as of October 1, 2013 in the amount of \$108,268.

On behalf of the Board of Trustees and staff, we have appreciated your partnership with the counties in Utah, in operating their county self-funded program, and hope that Tooele County's situation will improve to allow you to share in the expansive coverages counties enjoy through UCIP.

Sincerely,

Johnnie R. Miller
Chief Executive Officer

Bruce Adams
President

UTAH COUNTIES INDEMNITY POOL

PO Box 95730, South Jordan, UT 84095-0730
Phone (801)565-8500 ☎ Fax (801)568-0495 ☎ www.ucip.utah.gov



MEMORANDUM

To: UCIP Board of Trustees
From: Johnnie Miller, CEO
Date: 9/17/13
Re: Coverage Addendum Changes

Following are descriptions of the substantive changes to the Bylaws Coverage Addendum for review and approval at your September 19, 2013 meeting.

The General Coverage Conditions and other sections throughout the document have been modified to convert all liability coverage to Claims Made coverage. Previously the Public Officials Errors and Omissions and Employee Benefits Liability were Claims Made form, and the General Liability and Auto Liability were Occurrence form. This change will improve the coverage provided to members for the General Liability and Auto Liability coverage. This change will also clear up the issue with continuing to receive claims from terminated members after their date of termination.

The Extended Reporting Period language has been deleted to clarify that UCIP will not provide coverage for claims occurring or filed against a terminated member after the date of their termination.

Language has been added to the General Exclusions, Definitions and Liability Exclusions to clarify that defense will not be provided to an employee that pleads guilty, nolo contendere, no contest or any similar plea.

Language deleted from the General Exclusions previously to extend coverage for land use actions has been replaced, with an Endorsement added for Land Use Actions, to make this coverage enhancement more prominent to the members.

The definition of Covered Party has been modified to tie the obligation to defend employees to the provisions of the Governmental Immunity Act requiring defense of employees, with exceptions. The statute actually requires all policies to be consistent with the Act.

The standard industry co-insurance clause has been added to the Property Section Conditions to implement a penalty if a member reports inadequate values on property to the Pool. A Co-Insurance Suspension Endorsement has been added to suspend this penalty for any property that is scheduled according to a certified appraisal provided by UCIP. The effect is that if members will not agree to the appraised value, and want to use a lower value, they will receive proportionately less in loss payment. Using the Suspension of Co-Insurance Endorsement makes this coverage enhancement more prominent to the member.

The Liability Definitions have been modified to clarify that covered Money Damages do not include the return, refund or repayment of any taxes, fees or other charges by a Member. These type of damages would not be paid as to do so would be an "unjust enrichment" to the member, but the modified language clarifies the Pool's position. The question has been asked (by Wasatch

County) if it is "unjust enrichment" when the county has to return fees it collected for another agency. The language included currently would apply to any amounts the county is ordered to return, not just those it directly benefited from.

The Governmental Immunity Act Endorsement has been modified to require the governing body of a member to pass a resolution waiving immunity for amounts in excess of the Act to be covered. Such waiver also requires approval of the Pool.

The Limited Professional Health Care Services Endorsement has been modified to clarify that the employees will be covered and defended for claims under the Endorsement as well as the Member.

The Cyber Liability endorsements that were approved by the Board effective 7-1-13 have been attached to the Coverage Addendum.

An Injunctive Relief Defense Endorsement has been added to provide \$100,000 of defense coverage for claims that make no claim for money damages.

An Extension of Defense Endorsement has been added to provide defense beginning when the member receives a Notice of Claim in accordance with the Governmental Immunity Act. Defense is typically not required until a suit for money damages has been filed in court.

Additional typographical and formatting changes have been made throughout the document, but do not have any effect on the coverage provided under the Addendum.

JRM/jrm

UTAH COUNTIES INDEMNITY POOL

PO Box 95730, South Jordan, UT 84095-0730
Phone (801)565-8500 ✉ Fax (801)568-0495 ✉ www.ucip.utah.gov



MEMORANDUM

To: UCIP Board of Trustees
From: Johnnie Miller, CEO
Date: 9/17/13
Re: Interlocal Agreement Changes

Following are descriptions of the substantive changes to the Interlocal Agreement for review and approval at your September 19, 2013 meeting.

The first "Whereas" statement was modified to clarify the Pool operates as a "liability reserve fund" as authorized by the Governmental Immunity Act, which is referred to as a "public entity mutual" in the Insurance Code.

The Effective Date: Duration section of the agreement was modified to clarify the agreement is not effective until the documents has been executed by each member governing body and attorney, and each agreement has been filed by the keeper of records of the member and of the Pool, in compliance with the Interlocal Cooperation Act.

The Purposes section has been modified to clarify the Pool acts as a joint liability reserve fund, jointly self-insures member risks, jointly purchases insurance, and jointly purchases reinsurance and excess insurance.

Language was added to Section 5 Board of Trustees to clarify that the member delegate powers to the Board, as is required by the Interlocal Cooperation Act.

Board structure has been modified to:

1. Delete the representative from Utah County;
2. Reduce the number of Third Class county representatives from two (2) to one (1). There are currently three (3) counties of the Third Class participating in UCIP;
3. Increase the number of At-Large members from 2 to 3. This makes the transition of the Utah County position to an At-Large position permanent;
4. Create a Board appointed position to be held by a member Auditor that will be the Chair of the Audit Committee;
5. Clarify the appointed position of Chair of the Litigation Management Committee be a member County Attorney or Deputy County Attorney;
6. Clarify the appointed position of Chair of the Personnel Committee be a member Personnel Director;
7. Requiring that Board members of the Second Class counties be members of the county governing body;
8. Requiring that members serving as representatives of counties of the Third through Sixth Class and At-Large members be elected or appointed officers of the Member; and
9. Allowing Trustees serving in positions appointed by the Board to be elected or appointed officials or employees of a member.

The Manner of Financing section was modified to replace any reference to “premium” to “contribution”, and to add service fees as an option for funding of the Pool.

Addition of New Members section was modified to comply with the requirement of the Interlocal Cooperation Act that an Interlocal Agreement be filed with the keeper of records of the public agency prior to it being in force.

Withdrawal and Termination section was modified to change the requirement for timely written notice of withdrawal or termination from 120 days prior to the Pool’s fiscal year end to 180 days prior to the Pool’s fiscal year end.

Withdrawal and Termination section was modified to change the requirement for rescinding a notice of withdrawal or termination from 90 days prior to the Pool’s fiscal year end to 150 days prior to the Pool’s fiscal year end.

Withdrawal and Termination section was modified to replace language that was changed in the Fourth Amended Interlocal Agreement which terminates coverage of all claims of a line of coverage at the date of withdrawal from a line of coverage, including those claims covered prior to the termination date.

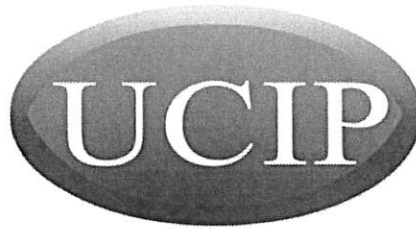
Withdrawal and Termination section was modified to replace language that was changed in the Fourth Amended Interlocal Agreement which terminates coverage of all claims at the date of termination of membership, including those claims covered prior to the termination date.

Other typographical and formatting changes were made to the document which do not make substantive change to the terms and conditions of the agreement.

JRM/jrm

UTAH COUNTIES INDEMNITY POOL

PO Box 95730, South Jordan, UT 84095-0730
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MEMORANDUM

To: UCIP Board of Trustees
From: Johnnie Miller, CEO
Date: 9/17/13
Re: Bylaws Changes

Following are descriptions of the substantive changes to the Bylaws for review and approval at your September 19, 2013 meeting.

A definition of "Surplus" was added which is – The amount shown as Net Assets on the audited financial statements of the Pool.

References to "premiums" were replaced with "contributions" throughout the document.

Requirements for members to adopt and maintain certain policies including Seat Belt Use, Employee Safety Accountability, restriction of alcohol being served on county property, annual Motor Vehicle Records checks, Sexual Harassment and High Speed Pursuit were deleted.

The Officers, Meetings and Procedures section was modified to allow a Board member to provide advance notice to another Board member of their inability to attend a meeting for the absence to be granted.

The Financing Section was modified to clarify that refunds of surplus will be made in the form of dividends.

The Financing Section was modified to clarify that a member loses its equity in the pool only upon termination from the Pool, not for withdrawal from a line of coverage.

The Withdrawal and Termination Section was modified to clarify that withdrawal from the Property/Liability line of coverage is considered termination of membership.

The Investment Policy was modified to be incorporated as an Addendum to the Bylaws as the agreement requires.

Other typographical and formatting changes were made to the document which did not affect the terms and conditions of the Bylaws.

JRM/jrm

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ZIONS® Wealth Advisors

ACCOUNT SUMMARY

UCIP

Account #8913870

From 8/01/2013 Through 8/31/2013

ACCOUNT SUMMARY (COST):

BEGINNING BALANCE:	2,042,164.70
DEPOSITS IN THE PERIOD:	-
WITHDRAWALS IN THE PERIOD:	-
REALIZED GAIN/LOSS:	-
GROSS INCOME:	761.13
MANAGEMENT FEE (0.057%):	(99.68)
ENDING BALANCE:	2,042,826.15

PERFORMANCE SUMMARY

INTEREST EARNED:	2,048.76
AMORTIZATION/ACCRETION (Month to Date):	28.44
REALIZED GAIN/LOSS:	-
GROSS EARNINGS:	2,077.20
MANAGEMENT FEE (0.057%):	(99.68)
NET EARNINGS:	1,977.52
AVERAGE DAILY BALANCE:	2,043,360.45
GROSS EARNINGS RATE:	1.1805%
(360-day yield)	
NET EARNINGS RATE:	1.1239%
(360-day yield)	

* Performance calculated using trade-date accounting.

* Management fee is charged on first day of following month, then back-dated to reflect the charged fee for the month in which it was earned. Funds invested in PTIF are not charged management fees.

* This summary is provided as a courtesy and for informational purposes only. It should not be used for tax purposes. Clients should refer to their custodial statement as the official account documentation.

* Please note that amortization and accretion makes up a portion of the Gross Earnings. Amortization and accretion is expense / income that is received from buying securities at a premium / discount (i.e., commercial paper).

* Contango Capital Advisors is a registered investment adviser and a non-bank affiliate of Zions Bank and a non-bank subsidiary of Zions Bancorporation. In Utah and Idaho, Contango operates under the name Zions Wealth Advisors. Some representatives of Zions Wealth Advisors are also registered representatives of Zions Direct, which is a member of FINRA/SIPC and a non-bank subsidiary of Zions Bank. Investment products and services are not insured by the FDIC or any federal or state governmental agency, are not deposits or other obligations of, or guaranteed by, Zions Bank, Zions Bancorporation or its affiliates, and may be subject to investment risks, including the possible loss of principal value or amount invested.

Sonya White

To: seth.oveson@carbon.utah.gov
Subject: Board Meeting - September 19
Attachments: Agenda 19SEP13.pdf; Oveson Mileage.pdf; Hunter ParkingPermit.pdf; SUU Campus Map.pdf; RMC Agenda.pdf

Seth,

Pursuant to our phone conversation, we look forward to seeing you in Cedar City on September 19 for the 4:00 pm Board of Trustees meeting (see attached agenda). You will need the attached parking permit for the lot directly North of the Hunter Conference Center. Mileage will be reimbursed (see attached statement).

I've also attached a copy of the agenda for our upcoming Risk Management Conference. We will be going to the Adams Theatre for Richard II following the Board meeting. Please let me know if you can join us.

Enjoy your weekend.

Sonya White
Chief Financial Officer
Utah Counties Indemnity Pool
PO Box 95730
South Jordan, UT 84095-0730
801-307-2113 *d*
801-568-0495 *f*
801-558-8060 *c*
ucip.utah.gov

Sonya White

To: Orme, Alden
Subject: Board Meeting - September 19
Attachments: Agenda 19SEP13.pdf; Oveson Mileage.pdf; Hunter ParkingPermit.pdf; SUU Campus Map.pdf; RMC Agenda.pdf

Importance: High

Alden,

Pursuant to our phone conversation, we look forward to seeing you in Cedar City on September 19 for the 4:00 pm Board of Trustees meeting (see attached agenda). You will need the attached parking permit for the lot directly North of the Hunter Conference Center. Mileage will be reimbursed (see attached statement).

I've also attached a copy of the agenda for our upcoming Risk Management Conference. We will be going to the Adams Theatre for Richard II following the Board meeting. Please let me know if you can join us.

Enjoy your weekend.

Sonya White
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Sonya White

To: Eardley, Jim; Adams, Alma; Johnson, Karla; Millburn, Bret; Wilkins, Mike
Subject: Nominating Committee Direction Needed
Importance: High

Bret
Alma
Mike

Dear Committee Members,

The following elected officials have provided written notice for consideration of available Board Positions:

From: Seth Oveson [<mailto:Seth.Oveson@carbon.utah.gov>]
Sent: Tuesday, September 03, 2013 9:08 AM
To: Sonya White
Cc: Commission
Subject: RE: Board Appointment for Fourth Class County Representative

Dear UCIP Board,

I appreciate your consideration to fill the Fourth Class County Representative position. I believe my background in public accounting will provide valuable insight for the board. Our county is very interested in participating more actively in UCIP in the upcoming years.

Seth Oveson, CPA
Carbon County Clerk/Auditor
(435) 636-3224
seth.oveson@carbon.utah.gov

From: Robert Dekker [<mailto:rdekker@co.millard.ut.us>]
Sent: Monday, September 09, 2013 11:09 AM
To: 'Sonya White'
Cc: Dave Edmunds
Subject: RE: Board Appointment for Law Enforcement Committee Chair

If I can help I would do whatever I can. If there are others interested, they should have a shot at it.

Robert Dekker
Millard County Sheriff

From: Alden Orme [<mailto:aorme@juab.utah.gov>]
Sent: Monday, September 09, 2013 2:25 PM
To: Sonya White
Subject: Re: Board Appointment for Law Enforcement Committee Chair

Dear UCIP Board of Trustees:

I would like to be considered for the Board vacancy left by Sheriff Noel. I have served as the Sheriff of Juab County since 2003 and I have enjoyed working with UCIP. I am impressed with the level of service given to each member county. If you need any additional information, please feel free to contact me. Thank you for your consideration and for your service as committee members.

Sincerely,
Sheriff Alden B. Orme
Cell: 435-250-6113

Please advise if you would like the Board to meet with each of these officials at their upcoming September 19 meeting or if you would like to make a recommendation to the Board for approval.

Thank you,

Sonya White
Chief Financial Officer
Utah Counties Indemnity Pool
PO Box 95730
South Jordan, UT 84095-0730
801-307-2113 *d*
801-568-0495 *f*
801-558-8060 *c*
ucip.utah.gov

Sonya White

From: Robert Dekker <rdekker@co.millard.ut.us>
Sent: Friday, September 06, 2013 11:44 AM
To: Sonya White
Subject: Re: Board Appointment for Law Enforcement Committee Chair

I would be glad to help if I can. If there is other interested Sheriffs my feelings will not be hurt to have them serve.

Sheriff Robert Dekker

Sent from my iPhone

On Sep 6, 2013, at 7:50 AM, "Sonya White" <sonya@ucip.utah.gov> wrote:

>

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2013.0.3392 / Virus Database: 3222/6642 - Release Date: 09/06/13

Sonya White

To: Eardley, Jim; Adams, Alma; Johnson, Karla; Millburn, Bret; Wilkins, Mike
Cc: Miller, Johnnie
Subject: Approval from Nominating Committee

Dear Committee Members,

With the resignation of Cameron Noel (Law Enforcement Committee Chair) and Steve Wall (Fourth Class Counties Representative) the Nominating Committee will need to make a recommendation for the UCIP Board to consider and appoint new representation to fill these unexpired terms. The new appointee for the Fourth Class Counties will go through the election process at the Annual Membership Meeting on December 5.

The Nominating Committee has directed me in the past to send out notice to the membership explaining the available position and requesting written notice to the Board from anyone interested. Would you like me to start this process? If so, as written requests are received, I will forward them to you for your recommendation to the Board at the next meeting.

Once you've discussed this matter, please provide me with your direction.

Thank you,

Sonya White
Chief Financial Officer
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Sonya White

Subject: Board Appointment for Fourth Class County Representative

Importance: High

Dear Member County Official/Employee,

The UCIP Board of Trustees will be appointing *an elected or appointed officer or an employee of a Member* to fill the unexpired term of Steve Wall, representing counties of the fourth class, at its September 19, 2013 meeting. The term of this appointment will be until the next annual meeting of the Members (December 2013), at which time the Members shall elect a person to fill the vacancy for the unexpired term (the fourth class representative's term expires December 2014).

The Board of Trustees' meet every third Thursday at 12:00 pm for approximately three hours. Mileage reimbursement is provided.

If you would like to be considered for this Board position, please reply to this email with your information and willingness to serve.

We appreciate your efforts in maintaining this long-term management strategy of Counties, the Pool, since 1992.

Sonya White
Chief Financial Officer
Utah Counties Indemnity Pool
PO Box 95730
South Jordan, UT 84095-0730
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801-568-0495 *f*
801-558-8060 *c*
ucip.utah.gov

Sonya White

Subject: Board Appointment for Law Enforcement Committee Chair

Importance: High

Dear Member County Sheriff,

The UCIP Board of Trustees will be appointing *a sheriff of a Member county, who [will] serves as the Chair of the Law Enforcement Committee* to fill the unexpired term of Cameron Noel at its September 19, 2013 meeting. The term of this appointment expires December 2014.

The Board of Trustees' meet every third Thursday at 12:00 pm for approximately three hours. Mileage reimbursement is provided.

If you would like to be considered for this Board position, please reply to this email with your information and willingness to serve.

We appreciate your efforts in maintaining this long-term management strategy of Counties, the Pool, since 1992.

Sonya White

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